

**CITY OF
SOMERSET, TEXAS 78069**

MAYOR

C. J. (Dick) Kuenstler
P.O. Box 174
Phone: 429-3563

AN ORDINANCE

NO. 7

ALDERMEN

Adolph F. Hoffman
Ernest R. Lopez
Raymond E. Galloway
T. P. Alcorta
Everett H. (Red) Seeger, Jr.

Prohibiting the use of open drains, sewers, cesspools, and other devices for the disposal of waste within the incorporated limits of the City of Somerset, Texas. Providing exceptions for continued use of privies until such time as they must be condemned.

MARSHALL

Adam T. Serrata

WHEREAS in the City of Somerset numerous cesspools, open drains and other devices used for the disposal of waste exist and are the breeding places for flies and mosquitos; and

WHEREAS such disposal units do without exception emit offensive odors and constitute a public nuisance and threat to the public health; and

WHEREAS it is in the public interest and welfare to prohibit and deny the use of open cesspools and open drains and regulate the use of privies within the corporate city limits;

NOW THEREFORE:

BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF SOMERSET:

SECTION 1. Except as otherwise provided herein, no person shall use open cesspools, open drains, or privies for the disposal of processed sewage, raw sewage, or other sources which constitute a public nuisance and a threat to the public health.

SECTION 2. No drain not necessarily for sewer disposal which may be used to discharge waters used for cleaning, washing, etc., shall be allowed to be discharged in any manner which would cause these waters to flow, stand or collect on any public street, alley, or through-way.

SECTION 3. No person who may construct a building for commercial or residential purposes shall be allowed to construct a privy for the purpose of sewage disposal. All new construction shall be connected to a covered sewer system of the kind and type that may be specified by the building codes established by the City of Somerset.

SECTION 4. All privies within the corporate limits shall by the owners thereof be dismantled and the remaining hold filled with earth. A mound of earth shall be provided on top of the fill sufficient to allow for settling.

SECTION 5. Exception: Privies which are presently in use within the corporate limits may remain in use until such time as the fill reaches two feet or 24 inches below ground level at the point on which the privy is constructed. At such time the fill reaches 24 inches below ground level the privy will be dismantled and the existing hole filled. A mound of earth will be placed on top of the fill to allow for settling. Privies currently in use will be maintained by their owners in such a manner as to not emit offensive odors, be unsightly, or otherwise be termed as a public nuisance.

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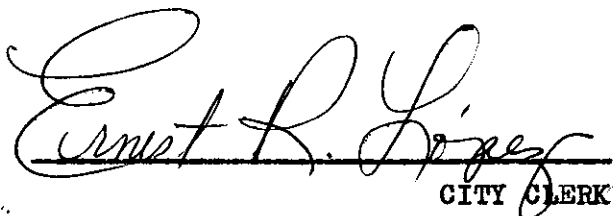
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SECTION 6. Violation of this Ordinance shall be punishable by a fine of not less than 25 dollars or more than 200 dollars.

SECTION 7. Whereas an emergency is apparent for the immediate preservation of order, good government, and public safety that requires this Ordinance to become effective at once; therefore, upon passage of this Ordinance by a majority vote of the City Council, it shall become effective from and after the date of its passage as made and provided by this Ordinance and article 1015 (25), (30) VACS.

PASSED AND APPROVED THIS 24th DAY OF June 1971.


MAYOR


CITY CLERK